

1-1 By: Johnson, Paxton S.B. No. 1132
1-2 (In the Senate - Filed March 8, 2021; March 18, 2021, read
1-3 first time and referred to Committee on Business & Commerce;
1-4 April 8, 2021, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; April 8, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the regulation of crafted precious metal dealers;
1-20 authorizing the change of a fee.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 1956.0612(c), Occupations Code, is
1-23 amended to read as follows:

1-24 (c) The commissioner shall prescribe the processing fee in
1-25 an amount necessary to cover the costs of administering this
1-26 subchapter ~~[section]~~.

1-27 SECTION 2. Section 1956.0613, Occupations Code, is amended
1-28 to read as follows:

1-29 Sec. 1956.0613. INVESTIGATION BY COMMISSIONER. (a) The
1-30 commissioner shall:

1-31 (1) monitor the operations of a dealer to ensure
1-32 compliance with this subchapter ~~[chapter]~~; and

1-33 (2) receive and investigate complaints against a
1-34 dealer or a person acting as a dealer.

1-35 (b) At the times the commissioner considers necessary, the
1-36 commissioner or the commissioner's representative may:

1-37 (1) examine each place of business of each dealer; and

1-38 (2) investigate the dealer's transactions and records,
1-39 including books, accounts, papers, and correspondence, to the
1-40 extent the transactions and records pertain to the business
1-41 regulated under this subchapter.

1-42 (c) A dealer shall:

1-43 (1) give the commissioner or the commissioner's
1-44 representative free access to the dealer's office, place of
1-45 business, files, safes, and vaults; and

1-46 (2) allow the commissioner or the representative to
1-47 make a copy of an item that may be investigated under Subsection
1-48 (b)(2).

1-49 (d) The commissioner or the commissioner's representative
1-50 shall examine under Subsection (b) at least 10 dealers each
1-51 calendar year.

1-52 SECTION 3. Subchapter B, Chapter 1956, Occupations Code, is
1-53 amended by adding Section 1956.0616 to read as follows:

1-54 Sec. 1956.0616. NOTICE OF ENFORCEMENT ORDER. (a) As soon
1-55 as practicable after an enforcement order against a dealer for a
1-56 violation of this subchapter becomes final, including an order
1-57 assessing an administrative penalty or an order to pay restitution
1-58 under Section 14.251(b)(3), Finance Code, the commissioner shall
1-59 provide notice of the order to:

1-60 (1) the chief of police of the municipality in which
1-61 the violation occurred; or

2-1 (2) the sheriff of the county in which the violation
2-2 occurred, if the violation did not occur in a municipality.

2-3 (b) The notice must include:

2-4 (1) a copy of the enforcement order;

2-5 (2) the information on complaint procedures described
2-6 by Section 14.062(b), Finance Code; and

2-7 (3) any other information the commissioner considers
2-8 necessary or proper to the enforcement of this subchapter.

2-9 SECTION 4. (a) Except as provided by Subsection (b) of this
2-10 section, this Act takes effect September 1, 2021.

2-11 (b) Section 1956.0613, Occupations Code, as amended by this
2-12 Act, takes effect January 1, 2022.

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